

SECRETARY OF STATE
STATE OF INDIANA



Todd Rokita
Secretary of State

Once again, Indiana Voters are ready to make their mark on national, state, and local politics during our 2010 Primary Election.

Our local election officials, in conjunction with almost 30,000 poll workers statewide, continue to drive Indiana's successful election process. Their behind-the-scenes efforts over many months, which included long days and working weekends, will allow our citizens to successfully exercise our most sacred civic transaction – the right to vote.

State and local leaders have prepared for the May 2010 Primary with the same intensity, integrity, and effort as they do for every Hoosier election. Because of their efforts and the efforts of many others, Indiana will continue to implement an election system that provides integrity in the process and accuracy at the polls.

This update includes information designed to give you an overview of state and local level preparations for the election, as well as a few basics to assist you during the election tomorrow. If you have any questions, comments, or concerns, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink that reads "Todd Rokita".

Todd Rokita
Indiana Secretary of State

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Voter Statistics as of 9:00 a.m. on May 3rd, 2010

Current Statistics on Voter Registration Activity in Indiana:

Indiana 4,277,715 registered voters, according to the Statewide Voter Registration System.** This includes 4,167,968 active and 109,747 inactive registration records.**

Since January 1, 2010, Indiana experienced an overall increase of **99,645** voter registrations (41,338 New / 58,307 Updated).

From the 2008 General Election, Indiana experienced an overall increase of **477,233** voter registrations (161,304 New / 315,929 Updated).

**Please See Attachment A, a county-by-county breakdown of voter registration numbers.*

***Active registrations are those presumed to be accurate records. Inactive records are those records presumed to be tied to individuals no longer at the location. Before a record is labeled as inactive, there must be numerous failed attempts by a governmental agency to contact the individual at the address of record, and no forwarding information to find the individual. Inactive records are canceled if the voter does not vote (or appear to vote) at that address during two consecutive federal election cycles. Inactive records can be changed to active if the individual votes in an election before the record is canceled.*

Current Statistics on Absentee Ballots in Indiana:

As of 5:00 a.m. on May 3rd, 2008, over 91,652 Indiana voters have requested absentee ballots.

In 2008, Indiana voters cast 185,692 absentee ballots in the Primary Election.

In 2006, Indiana voters cast 61,345 absentee ballots in the Primary Election.

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Table of Abbreviations Used

BMV:	Bureau of Motor Vehicles (Indiana)
CAT:	County Advisory Team
CEB	County Election Board
DRE:	Direct Record Electronic (voting machine)
EAC:	Election Assistance Commission (federal)
ES&S:	Election Systems and Software Company
FEC:	Federal Election Commission
FVAP:	Federal Voting Assistance Program
HAVA:	Help America Vote Act
IC:	Indiana Code
IEC:	Indiana Election Commission
IED:	Indiana Election Division
ISDH:	Indiana State Department of Health
OS:	Optical Scan (voting machine)
PAC:	Political Action Committee
PRO:	Provisional Ballot (IEC forms)
SVF:	Statewide Voter File
SVRS	Statewide Voter Registration System
VCPP:	Vote Center Pilot Project
VRG:	Voter Registration (IEC forms)
VRO:	Vital Records Office (ISDH)
VSTOP:	Voting System Technical Oversight Program

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State and County Level Preparations

Indiana's 92 counties have prepared for Primary Election Day activities with the same effort and integrity as with every election. County election officials have been advised to anticipate and plan for increased communication resources, poll workers, volunteers, and ballots.

County Level Communication

The Indiana Secretary of State's office has made frequent contact with each of Indiana's 92 counties during the months leading up to this spring election season. In addition to attending the annual and district meetings of the Association of Clerks of Circuit Courts of Indiana, numerous county visits and written communications have been made by the office.

In April, the Secretary of State wrote to each of the county's election administrators and every county commissioner regarding election preparations that need to be made well in advance of the election. This communication was intended to highlight the need to ensure sufficient numbers of ballots were printed and distributed in precincts on Election Day. Other issues addressed include ensuring sufficient numbers of poll workers and backups were available and machines were correctly programmed and sufficiently prepared.

Voting Systems Testing

To assure readiness and accuracy of voting equipment, Indiana law requires that all counties conduct public tests of their voting systems no later than 14 days before every election. Counties are required to certify that the voting machines correctly tabulate votes and report this information to the Indiana Election Division (IED) no later than 7 days after completion of the tests.

A Note on College Student Voting Requirements

College Students, as with all voters, are expected to register to vote from their permanent address, *according to the intent of the voter*. Indiana law provides that a person *does not* gain residency in a precinct when they move there for temporary employment, educational purposes etc., without the intent of making a permanent home there. *If* it is the intent of the student that their school address will be their permanent address, then they are eligible to register to vote using that address (see: IC 3-5-5-7).

Indiana's Voter ID Law and the Primary Election

In April 2008, the United States Supreme Court ruled in a 6 to 3 decision, to uphold Indiana's Voter ID law. Indiana Secretary of State Todd Rokita, as the respondent in the case, was a vigorous defendant of Indiana's law throughout the two-and-a-half year adjudication process.

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Indiana's Voter ID Law (Public Law 109-2005) requires Indiana residents to present a photo ID before casting a ballot at the polls on Election Day. Note that the substance of this law took effect in July, 2005. **Prior** to the coming Primary Election, Hoosiers have quite successfully, voted in - 6 statewide and municipal elections and numerous Special Elections under the photo ID requirements.

Under the statute, the ID must meet 4 criteria to be acceptable for voting purposes. The ID must:

1. Display the voter's photo.
2. Display the voter's name, which must conform with the name on the voter registration record (*an explanation of acceptable variation follows*).
3. Display an expiration date that is current, or had expired **no earlier** than the date of the last Indiana General Election (in this case, November 4, 2008).
4. Be issued by an agency of the State of Indiana or the U.S. government.

Generally, an Indiana driver's license, Indiana photo ID card, U.S. Passport, or military ID is sufficient. Exemptions exist for the indigent, those with a religious objection to being photographed, and residents of state-licensed facilities where a precinct's polling place is also located.

The indigent, those with religious objections, and those who forget to bring adequate identification to the polls may cast a **provisional ballot** at the polls without photo identification. Individuals voting **absentee-in-person** ("early voting") at a county election office, must have an acceptable ID, however a voter could vote without an ID, if they can affirm at that time (by sworn affidavit), that one of the law's exemptions apply to them.

Persons voting absentee-by-mail are not required to show a photo ID (under the principle that a photo would do nothing to prove identification without the person also being there for comparison). Absentee **balloting-by-mail** is available to **anyone** 65 or older, and voters with disabilities. Voters who qualify to vote **absentee-by-traveling board**, including the home bound, are **not** required to show photo ID (For more information on the absentee ballot process and traveling boards, please see page 19).

The name on the photo ID must "conform" to the name on the voter registration record, however the name does **not** have to be an **identical match**. For example, common nicknames for first names, or substitute middle names for a given first name qualify under the statute. Also initials, as a substitute for a first or middle name, are an acceptable variation.

Voters who have changed their name due to marriage, adoption or divorce may rely on Indiana's long-standing change of name or address procedures. Indiana allows a voter to provide the

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current version of their name by simply writing their new name on the precinct poll list next to their current entry (*see* IC 3-7-41).

Voters may also update their voter registration information at the polling site by completing the VRG 4/12 form. This form (available at the polls) allows a voter who has either moved less than 30 days before the election, or moved (anytime) within the same county and congressional district, to vote one final time at their previous precinct. Voters are required to provide their new address on the form - which will prompt their voter registration record to be updated after the election.

State law requires that the Indiana Bureau of Motor Vehicles (BMV) provide *free* photo identification to citizens who do not already have a valid photo ID that meets state requirements for voting. For more information, please visit <http://www.photoID.in.gov>.

In September 2009, The Indiana Court of Appeals ruled that the photo ID law violated the Indiana Constitution. However, that ruling is not final and at this time, the photo ID law remains in effect. The Court of Appeals ruling has no impact on compliance with the photo ID law, absentee balloting procedures, or any procedure in upcoming elections. A transfer to the Indiana Supreme Court for review was sought and arguments were heard in this case. However, there has not yet been a decision by the Indiana Supreme Court. Therefore, election administrators should continue to comply with all existing election laws during upcoming elections and until a final ruling from the Indiana Supreme Court has been certified.

Informing Hoosier Citizens of the Photo ID Requirement

The Indiana Secretary of State's Office has invested over \$1.25 million dollars (federal and state-matching funds) on photo ID and common election-related education and outreach efforts. This funding amount does *not* include funding for other voting outreach and education efforts. Many of the state's photo ID education and outreach efforts were executed as soon as the new law took effect in 2005.

Indiana Bureau of Motor Vehicles

All BMV locations that normally issue driver licenses and ID Cards will have extended hours (8:30 AM to 8:00 PM) on Monday, the day before the election. **All BMV locations will also be open on Election Day from 6:00 a.m. to 6:00 p.m.**

Services Offered during Extended BMV hours:

As required by state law, branches will operate these hours for the sole purpose of providing voter IDs. Specifically, the following services will be offered to U.S. citizens 18 years of age or older on November 2, 2010: (Note: Any individual who will reach their 18th birthday prior to the General Election in November 2, 2010, is eligible to vote in the May Primary, except for school board offices, political party offices, or on public questions.)

- Issuing new, amend, renewal or duplicate IDs.

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- Issuing amend, renewal or duplicate DLs or CDLs, provided that no testing or outside support is required beyond clearing PDPS/CDLIS control numbers. New DLs may be issued provided the customer has previously completed all required testing.
- Customers who are required to take a written or drive test to obtain or renew a license may choose to apply for an ID card to use for voting purposes.

Individuals who hold a license or ID card that has expired since the last General Election (November 4, 2008) may use the expired card as proof of identification for voting purposes. However, we will renew such expired credentials provided the customer does not require testing.

Identification card applicants who are 65 years or older, and can attest that they have never been issued a birth certificate because their birth was never recorded with a state office of vital statistics, may present other forms of identification as a primary document, along with the necessary secondary document, for an Indiana identification card.

SecureID

SecureID is the Indiana BMV's effort to fully comply with the recommendations of the 9/11 Commission and state and federal regulations in two important ways:

- SecureID is a requirement for anyone applying for a **new** Indiana driver's license, permit, or identification card to prove they are who they say they are.
- All permanent driver's license, permits, or identification cards will be mailed from a secure, government-run location to a customer's home address following an extensive verification process of documents. The permanent credential will be received by the customer within 10 business days.

If you are applying for a new driver's license, permit, or identification card, you must bring documents to a license branch. Customers who are renewing, amending, or replacing their current Indiana driver's license, permit, or identification card are also asked to bring original versions or certified copies of documents so they can obtain a new SecureID credential.

The temporary identification document resulting in the move to SecureID is **VALID** for Indiana's photo ID for voting purposes.

Indiana Department of Health

Generally, a birth certificate is required to obtain an Indiana driver's license or non-driver's photo ID. Certified copies of birth certificates are available from the Indiana State Department of Health (ISDH) or from a local health department office in the county where the birth occurred. Requests for birth certificates must be accompanied by specified forms of identifying

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documentation (one of form of a "primary document", or two of several types of "secondary documents").

Birth records in the ISDH (Vital Records Office) begin with October 1907. Prior to October 1907, records of birth were filed *only* with the local health department in the county where the birth occurred.

Individuals seeking birth certificates can apply in person at the ISDH Vital Records Office or at their local county health department. Voters with access to the Internet and a credit card can apply for copies of their records online. Birth certificates cost \$10 for the first certified copy and \$4 for each additional copy.

The ISDH Vital Records office will be open during normal customer service hours on Election Day (9:00 am to 2:00 pm) for those that may need documentation for a photo ID. The ISDH Vital Records Office is located at 2 North Meridian Street, Indianapolis, IN 46204. For more information, please visit <http://www.in.gov/isdh>.

"What if..." Possible Election Day Situations and Responses

What if a voting machine breaks during the day?

Neither Indiana nor any other state *has ever* experienced systematic or statewide voting machine problems that have completely inhibited the election process. Individual precinct-level issues with voting machines have been known to occur.

In the case of precinct-level issues, all counties have individual contracts with an Indiana Election Commission approved voting machine vendor. Those contracts specify requirements for spare machines to be available at a central location in each county for deployment to a polling location in the case of an emergency.

In the event an electronic voting machine malfunctions or becomes inoperable at a precinct, voting can continue until the machine is replaced. Most counties using Direct Record Electronic (DRE) voting systems have more than one unit per polling location that can be used until a replacement arrives. Emergency paper ballots or provisional ballots can be used in the event that no voting machine is available. Counties that use Optical Scan (OS) voting systems would continue to allow voters to vote on their paper ballots which will be secured in the machine's lock box until the machine is fixed or replaced.

Votes are collected on removable memory cards for DRE machines which require the voter to complete the voting process by pushing the "cast ballot" button in order for the vote to be counted. If a machine is damaged or shuts down while a voter is in the process of voting, the previous votes are saved on the memory card and the selections the voter was in the process of making will not be saved, permitting the voter to vote on an alternate machine or on an emergency secret ballot.

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Indiana law requires immediate action by a county election board if there is a problem with a voting machine. "Each county election board shall be at its office from 5 a.m. until 6 p.m. on Election Day. Upon notice that an electronic voting system is out of order or fails to work, the board shall be ready between those hours to deliver to any precinct in the county: necessary paper ballots, election booths with an adequate number of stalls, ballot boxes, and all necessary supplies and equipment as required by law" (*see* IC 3-11-14-19).

More information about voting machines and how they are used in the process can be found on page 23.

What if a polling location must close due to an emergency?

The Indiana Secretary of State's Office has asked counties to be prepared in the event a polling place must be moved at the last minute due to an unforeseen event. If this occurs within 2 days of an election, IC 3-11-8-3.2 (c) permits a County Election Board to designate a new location and give the best possible notice of this change to news media so it can be reported to the public. As a practice, counties have been reminded to post signs at or near the former location to direct voters to the new location.

What if a polling location runs out of ballots?

Over half of Indiana counties (representing approximately 60% of Indiana voters) operate Direct Record Electronic (DRE) voting systems that do not use paper ballots. Indiana counties which use Optical Scan paper ballot systems have been reminded to accurately forecast the number expected in-person voters to the best of their ability (based on county level voter registration and the number of absentee voters) and advised those counties to order sufficient levels of paper ballots, so that ballot shortages are less likely (*see "State and County Level Preparations"* page 5).

If a precinct runs out of ballots, Indiana law allows county election boards to have extra ballots delivered immediately to the precinct location. If needed, county election boards generally are able to print additional ballots at their county office. Some counties have commercial printers "on call" in the event that additional ballots are needed. After printing new ballots, *bipartisan* election commissioners (two individuals appointed by their county party chairmen), would deliver these ballots to the locations needed. Typically while training, county election administrators remind poll inspectors to keep tabs on the supply of paper ballots and call for additional copies well in advance of the precinct's supply running short.

What if voters are still in line at 6:00 p.m.?

In most instances, these voters are still allowed to vote. Indiana Code permits voters who are in-person at 6:00 p.m. at the precinct to vote if they have passed the challengers, are waiting to sign the poll list, have signed the poll list, or are in the act of voting.

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Additionally, Indiana Code allows for the precinct's poll clerks to assist large crowds that may be left standing in line at 6:00 p.m. Voters who have not yet passed the challengers but that are still on location to vote may line up single file within the "chute."

The chute is the area or pathway that extends fifty (50) feet in length, measured from the entrance of the polls (the room within the building where voting is taking place). If the property line of the polling place is less than fifty feet from the door or entrance to the polling place, then the chute is measured from the exterior door or entrance to the polling place to one-half (1/2) the distance to the property line. At that time, the poll clerk must take down their names and they will be permitted to vote if otherwise qualified (*see* IC 3-11-8-11 (a)).

What if a poll place does not open at 6:00 a.m.?

During every statewide election, local and state officials are notified of instances where a polling location does not open on time. Often, in these instances, it is a case of an election inspector who opens the location simply running late. Many counties have additional volunteers on hand who can quickly respond and open a polling location, such that virtually all polls will be open within the first 60 minutes of the voting period. Likewise, until an inspector arrives, state law provides that a judge or other poll worker can serve as "acting inspector" so that the polls can open (IC 3-6-6-14). This is never an ideal situation, but most counties are prepared when such a situation occurs.

On rare occasion in Indiana a number of polling locations within one county have not opened on time. In the past, some county courts have attempted to compensate by ordering an extension of voting hours for that county. With respect to extended voting times, counties are instructed to follow court orders, however, any voter who was not in the polling place or "chute" at 6 PM, must vote by provisional ballot. Those ballots would be separated from the ballots of voters who arrived before the 6 PM deadline. Courts will later determine if the order is to stand in which case the provisional ballots would be counted (*see* IC 3-11-8-11 (b)).

What if there is a poll worker or volunteer shortage?

Most counties have a stable network of poll workers and Election Day volunteers. In other counties, Clerks have continued to work with local party officials to find adequate numbers of poll workers. Many high schools across the state have also encouraged students to participate in the 16-17 year old Poll Worker Program, which allows students who meet certain criteria to serve on Election Day. Please note: counties that participate in the Vote Center Pilot Project (VCP) conduct their Election Day activities with far fewer workers than other counties.

Should counties discover a shortage of workers at a specific precinct, Indiana law allows officials to move poll workers from one location to another.

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Help America Vote Act Outreach and Information Initiatives

Traditional Advertising

Education and outreach efforts have been a key deliverable of the Indiana Secretary of State's Office since the distribution of Help America Vote Act (HAVA) funding prior to the 2004 election.

Over the last five years, the office has administered media buys totaling over 1.6 million dollars in 2006, \$95,000 in 2007 (municipal election year), \$650,000 in 2008, and \$600,000 is budgeted for 2010. This advertising includes print and radio advertising.

These federal and state dollars were used to develop and air six different Public Service Announcements covering information on Photo ID, Accessibility, Voter Registration and General Information and Resources.

Funding earmarked for advertising was divided according to two goals: (1) to reach the maximum number of voting age adults and (2) to provide coverage to each of Indiana's 92 counties enabling the office to not only reach our population centers, but also the more rural areas of the state.

Outreach Publications

HAVA produces publications to educate voters, election administrators, and poll workers. These publications, all including information on photo ID requirements, totaled more than \$90,000 for the for the 2006 election year, \$45,000 for 2007 election year, \$85,000 for 2008, and \$65,000 for the 2010 election year. This information is distributed free of charge and includes:

- **Education publications;** Indiana Voter Information Guide (English and Spanish), 5 Things You Need to Know on Election Day Postcard, Military/Overseas Voters Guide, voting system operation and use DVDs.
- **Poll Worker Publications;** Election Day Handbook, Poll Worker Information Guide, Donate for Democracy Brochure, Voting for your Future Brochure, Election Day Live Administrators Packet, voting system operation and use and poll worker training DVDs.
- **Election Administration Publications,** Election Day Handbook, Poll Worker Training and voting system operation and use DVDs, Voter's Bill of Rights (English and Spanish), Photo ID Chute Posters (English and Spanish).

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Completion of the Absentee Ballot Process

Absentee Voting By Mail

If a qualified voter wishes to cast an absentee ballot by mail, the voter must submit an application to the county election board. The application can be submitted via fax, mail, or hand delivered. Applications were due to the county election board by midnight 7 days prior to Election Day, or April 26, 2010.

The county election board must process the application within 24 hours of receipt, unless the application is challenged. If the application is approved, a ballot and secrecy envelope is mailed to the voter's preferred mailing address. When the voter completes the ballot and signs the affidavit on the secrecy envelope, it may be placed in the U.S. mail, delivered in-person by the voter or a member of the voter's household, or delivered via bonded courier.

Absentee Voting In-Person

Voters may cast a ballot from 29 days prior to Election Day up to noon the day before the election for any reason. Absentee ballots can either be voted on OS (paper) or DRE voting machines. Electronic in-person absentee ballots are only permitted for voters in counties that use *central count absentee counting procedures*. Individual ballots are tracked in the DRE with a unique identifier should the need arise to spoil or disqualify an individual vote. (For example, if a voter has cast an absentee ballot, but passes away prior to Election Day, state law requires the ballot be rejected.)

Absentee by Traveling Board

Confined voters and those caring for confined voters can request to have a confined voter board, or traveling board, bring an absentee ballot to their location. The traveling board is a bipartisan board that may also assist voters in completing the ballot if requested.

All voted absentee ballots are then stored in a secure location at the county election board for counting on Election Day at either the polling place, or at the county election board in the event the county is a central count county. On Election Day, bipartisan teams of election commissioners deliver absentee ballots to the appropriate precinct where it is counted with the votes cast on Election Day. In central count counties, ballots remain at the election board, are counted, and added to the precinct totals at the end of the day. In order for a county to be a central count county, a unanimous resolution must be passed by the county election board prior to Election Day.

Can a Voter Cast an In-Person Vote after Voting Absentee?

In non-central count counties, a voter can "beat" their absentee ballot to the polling place on Election Day and cast a ballot in-person. Once the previously voted absentee ballot arrives and it is discovered the voter cast a ballot at the precinct earlier in the day, the absentee ballot is spoiled and not counted. Voters generally cannot elect to "beat" their absentee ballot to the polling place in central count counties because the ballot is not distributed to precincts and the poll list is

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marked before the opening of the polls to indicate that the voter has already returned an absentee ballot.

Recent Absentee Ballot Reform

In conjunction with Indiana's Photo ID law, a comprehensive absentee ballot reform package was promoted and passed by the Indiana General Assembly during its 2003 through 2005 sessions. These new requirements make it more difficult to commit absentee vote fraud and make the consequences of such behavior more severe. Some of these changes include:

- Absentee Voter's Bill of Rights (IC 3-5-8-2.5 & IC 3-11-10-25) Counties must provide all absentee voters with a statement describing: 1) their rights and responsibilities; 2) laws covering assistance that may be given to an absentee voter, completion of ballots in secret and return of a voted ballot; 3) how election law and absentee ballot law violations are reported.
- In the absentee ballot application, the voter must indicate the reason they qualify for absentee voting by mail, sworn under the penalty of perjury. (IC 3-11-4-18 & IC 3-11-10-24).
- Absentee ballot applications must be signed by the voter (except the disabled). Anyone assisting an absentee voter must acknowledge certain statements, sworn under the penalty of perjury. (IC 3-11-4-2 & IC 3-11-4-5). Persons assisting absentee ballot voters must be fully identified on the application.
- Restrictions were been placed on the "pre-completion" of absentee ballot applications by persons other than the voter. (IC 3-11-4-2 & IC 3-11-4-5).
- Only the absentee ballot voter, a family member, a postal employee, a bonded courier or an individual properly appointed as the voter's attorney in fact, may mail or deliver a voted absentee ballot. (IC 3-11-4-2 & IC 3-11-4-5).
- The crime of "electioneering" (a class A misdemeanor) may not be committed in the presence of a voter known to possess their absentee ballot. (IC 3-11-4-18 & IC 3-14-3-16).
- Challenged absentee ballots convert into provisional ballots - for consideration by the County Election Board. (IC 3-11.5-4-15)

Absentee Outreach: Know the Law, Know Your Rights

During the months prior to the election and focusing on the time period when absentee voting has taken place, the Secretary of State's Office has engaged in a special community outreach program aimed at informing county election officials, candidates and campaign workers and especially potential absentee voters themselves of the most essential absentee voting laws:

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1. The pressuring of voters who are not eligible to vote absentee to do so is illegal and will not be tolerated.
2. Absentee voters have the right to mark their ballots in secret.
3. Absentee ballot voters should place their own ballot in the mail or follow legal, approved methods for having their ballot mailed or delivered.

Absentee Voting for Military and Overseas Voters

Indiana counties are assisting military and overseas voters in their efforts to cast ballots in a manner afforded only by the improvements in modern technology. Indiana participates in a service offered by the Federal Voting Assistance Program (FVAP) of the US Department of Defense which helps military and overseas voters receive and cast ballots via fax or e-mail.

On September 29, 2008, Secretary Rokita joined four of his peers at the invitation of the United States Department of Defense, on an election oversight mission to the Middle East. Secretary Rokita spoke with troops serving in the combat theater in Baghdad and Balad Air Force Base in Iraq, and Bagram Air Force base and Camp Eggers in Afghanistan, about voting in this November's election. He spoke frankly with a number of soldiers about the voting process and their ability to participate. In addition to visiting with the troops, Secretary Rokita took part in the taping of public service announcements to be broadcast worldwide on the Armed Forces Network. Before returning home, the delegation stopped at Landstuhl Air Force Base in Germany to visit troops wounded in battle. This historic trip was the first time any state's chief election official was invited by the Department of Defense to participate in the inspection of the absentee voting process in the Middle East. Secretary Rokita has previously visited with wounded soldiers at Landstuhl Air Force Base and donated phone cards for the patients, medical personnel, and military serving there that were collected during the holiday season in 2007.

Direct Contact: How Hoosiers Report on Election Day Issues

Indiana citizens can file complaints with the Help America Vote Act team in the Office of the Indiana Secretary of State regarding polling place accessibility or any concerns regarding possible fraudulent activities on Election Day. Hoosiers may make contact by calling the toll-free number at 866-IN1-VOTE (866-461-8683). HAVA staff is on hand during business hours throughout the year, as well as from 6:00 AM to 7:00 PM EDT on Election Day.

Hoosiers may also complete the Indiana Voter Fraud and Accessibility Grievance affidavit form, which is located on the SOS website at: <http://www.in.gov/sos/elections/hava>. Those who complete and file this form are advised to have it notarized in order to assist investigators and prosecutors. The form is filed with the HAVA office and distributed to the proper agency for investigation and action.

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Historically, Hoosiers contact the HAVA team on Election Day to receive information on the location of their polling site. Those that file grievances have issue(s) with the election process or complaints about the behavior of others around the polling site. Many complaints are taken care of immediately by contacting local election administrators to quickly deal with an issue under local jurisdiction. A small number are investigated by the state and materials are forwarded to local prosecutors if necessary.

Accessibility

Accessible Voting Systems

HAVA requires that all voters, regardless of their disability, have the opportunity to cast a ballot privately and independently in their home precinct. Past provisions permitting assistance for voters with disabilities remain a part of election law for voters who choose to arrange for assistance in the voting booth, but it is no longer a necessity. Every polling place must be equipped with at least one voting machine that permits voters with disabilities to cast ballots in the manner described above. All 92 Indiana counties have complied with this provision of the law and every registered voter has an opportunity to cast a ballot, independently and privately in their home precinct if they so choose. For more information on accessible voting systems, please refer to the section of this document titled *Voting technology: Voting systems and the statewide voter file* (page 23).

Accessibility at the Polling Place

In addition to the requirement that all polling places have at least one voting accessible voting machine available for the disabled, HAVA also requires that polling places be physically accessible. In order to meet the goal of full accessibility at the polls, the Indiana Secretary of State partnered with the Indiana Governor's Planning Council for People with Disabilities (IGPCPD) to survey each location during the Municipal Election in 2003 (Marion County only), and the Primary and General Elections in 2004. Members of the disabilities community and their advocates reviewed the accessibility of each of Indiana's 4,500+ polling places and reported deficiencies to each county. The Secretary of State's office contributed over \$45,000 to this endeavor.

County election administrators worked with community leaders to improve the facilities or relocate polling places in order to meet accessibility guidelines. In an effort to assist local governments in these efforts, the Indiana Secretary of State took advantage of a grant awarded by the US Department of Health and Human Services (HHS Grant) and leveraged the state's buying power by using Quantity Purchase Agreements (QPAs) and procurement options to purchase goods in bulk. These goods, such as parking signs, ramps, and door handles, were distributed to counties by request and used to make critical accessibility upgrades to polling places. Over \$466,000 in products were purchased and distributed to counties in their efforts to improve polling place accessibility.

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In recent years, the need to continue to improve the accessibility of polling places has prompted the Secretary of State's office to offer monetary reimbursement grants to counties that improve polling place accessibility for voters. In 2006, 2007, and 2008, grants totaling over \$180,000 were awarded to counties as part of this program. Recently, another \$300,000 has been awarded to counties to make improvements for the 2010 General Election. These reimbursement grants are offered from the grant awarded by the Department of Health and Human Services.

Poll Worker Training and Public Information

Being aware of HAVA's accessibility requirements and procedures is a major focal point of the state-offered poll worker training procedures and curriculum. Both the Election Day Handbook and poll worker training video devote a chapter to this matter. Accessibility is also a part of the Train-the-Trainer sessions offered by the state's HAVA office to county election administrators each spring and fall. Public service announcements, television advertisements and literature distributed to voters across the state also devote attention to accessibility concerns.

The Basic Election Process and Election Official Organization

Every voter is assigned to a precinct and casts a ballot at a polling place. The voter's ballot is received by a precinct election board, which administers the election at its polling place. Precinct election officials (Poll Workers) are appointed by the county clerk (or in some counties, a county election director). The county clerk administers elections at the county level as one member of a bipartisan county election board, which consists of 3-5 members.

County election officials are provided with information and guidance regarding election laws and procedures by state officials, including the Secretary of State, who serves as Indiana's Chief State Election Official; the Indiana Election Commission, a 4 member bipartisan administrative body, and by the Indiana Election Division of the Office of the Secretary of State, an agency headed by bipartisan Co-Directors.

How are precincts created and voters assigned to them?

Precincts are established by county election officials, subject to approval by the Election Division or Election Commission. State law requires most precincts to contain no more than 1,200 active voters. An eligible voter who resides within the boundaries of the precinct can vote for the candidates on the ballot in that precinct.

How are polling places chosen?

In most counties, the county executive body (county commissioners or the Mayor of Indianapolis) chooses where each precinct's polling place will be located. In Tippecanoe and Lake Counties, the County Board of Elections and Voter Registration choose polling locations. Polling places must be accessible to voters with disabilities, and be located in the precinct, or nearby to ensure accessibility by these voters. The three vote center counties choose their vote center locations by committee that is still then officially designated by the county body with the statutory authority to choose polling locations.

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What are polling place hours?

Indiana's polling places are open from 6:00 am until 6:00 pm, prevailing local time.

Who are the poll workers and how are they chosen?

The head poll worker in each precinct is the "inspector." There are also election judges and poll clerks. Poll workers are nominated by the two major political parties, and if vacancies exist, the county election board can appoint qualified voters to serve.

Who is the county clerk, and what is the clerk's role in elections?

The county circuit court clerk is the official charged with administering elections in most counties. The clerk is elected by the voters to a 4 year term. The clerk's office performs a wide variety of day-to-day election tasks, including receiving candidate filings and campaign finance reports, finding polling place locations, and overseeing ballot printing and absentee voting. In some counties, the clerk also administers voter registration.

What is the county election board and its role in elections?

The county election board works with the county clerk to administer elections. The election board, which always includes the county clerk as a member, meets from time to time to resolve candidate challenges, absentee ballot challenges, and voter registration disputes. On Election Day, the board meets to resolve issues and solve problems that have arisen at precinct polling places. After the polls have closed, the board compiles the precinct election returns, and later determines whether provisional ballots are counted.

What is the Indiana Election Commission, and its role in elections?

The Indiana Election Commission is a separate 4 member administrative body, whose members are appointed by the Governor. The Commission meets from time to time to enforce campaign finance laws, to resolve candidate challenges, to certify voting systems for sale and use in Indiana elections, and to enforce penalties against voting system violations.

What is the Indiana Election Division and its role in elections?

The Indiana Election Division is headed by two bipartisan Co-Directors, who are appointed by the Governor. The Election Division provides administrative support to the Indiana Election Commission in the enforcement of campaign finance laws, and assists county election officials in making precinct changes. The Election Division provides information and training regarding election laws and procedures to voters, the media, county election officials, candidates, political parties, and other civic groups, and publishes state level campaign finance reports on its website. The Election Division works closely with the Secretary of State to perform many election tasks, including the operation of the statewide voter registration system, receiving and processing candidate filings in state level races, and preparing the certification of election results following the primary and general elections.

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What is the Secretary's role in elections?

The Secretary of State of Indiana is elected by the voters for a 4-year term. The Secretary is designated as the state's chief election official, and has important duties under the federal Help America Vote Act (HAVA). Although state law does not provide the Secretary with direct oversight or control over the actions of precinct and county election officials, the Secretary takes an active role in the election process. The Secretary develops and provides educational material for counties to conduct poll worker training, and conducts voter education campaigns to provide information about election requirements and procedures. The Secretary investigates allegations of vote fraud and enforces penalties against voting system violations.

The Life of an Indiana Ballot

A ballot is printed, provided to a voter, cast and returned by the voter, and processed by a precinct election board, or sometimes by a county election board. After the election, the ballot is preserved for the time required by law.

1. The ballot is printed or programmed.

In Indiana, all ballots are printed (or programmed) by county election officials, not by the state. After the candidates are certified to appear on the ballot, county election officials work with their voting system vendors to prepare and proof the election ballots. Some ballots are printed on specially prepared paper to be "optically scanned" by automatic tabulating devices. In counties using electronic voting systems, the ballot is programmed to appear on each voting system. Each type of ballot must include instructions to the voter about how to mark the ballot and other information regarding Indiana election law.

2. The ballot is provided to the voter.

The first ballots are provided to the voters through the absentee process. Some absentee ballots are mailed by county election officials to voters, while other ballots are delivered to confined voters by a county absentee traveling board. Any voter can receive an absentee ballot by appearing in person at the county election board before Election Day.

If an absentee ballot is lost in the mail, spoiled by the voter, or otherwise defective, a voter may be able to request that a replacement absentee ballot be provided.

County election officials deliver ballots to the poll workers for use by the voters on Election Day at precinct polling places (or at vote centers in 3 counties). After the voter signs the poll list, an "optical scan" paper ballot is initialed by poll clerks and provided to the voter. Where an electronic voting system is used, the system is set to display the ballot for the voter to cast a vote.

If the voter spoils an optical scan ballot at a polling place, the voter is entitled to request a replacement ballot to cast a vote. A voter can also change or correct a vote on an electronic voting system before casting the ballot.

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3. The ballot is returned by the voter.

At the polling place, an optical scan paper ballot is returned to an election judge, who will process the ballot through the optical scanner, if ballots are tabulated at the precinct. If the ballots are to be tabulated at a central county location, the judge will secure the voted ballot in a ballot box that is often a compartment in the optical scan voting system.

Absentee ballots are returned by the voter to the county election board, either in person, by mail, or by the traveling board. When an absentee ballot is received by the county election board, the board secures the absentee ballot until Election Day in a “dual lock” storage area, with the county election board member affiliated one of the major political parties each having their own key to prevent unauthorized access to the absentee ballots.

4. The ballot is processed by the precinct election board or the county election board.

If ballots are counted at the precinct, then after the polls close and voting system are secured, the precinct election board counts the ballots.

To count the ballots cast on an electronic voting system, the poll workers print out the results from memory cartridges in the voting system. These printouts are long, thin paper strips which list the total votes cast on that voting system for each candidate on the ballot.

The optical scan ballots, memory cartridges, lists of voters, and other documents are then taken from the precinct polling place to the county election board by the inspector and the judge of the other major political party.

Absentee ballots have traditionally been taken to each precinct for processing by the precinct election board. After the polls open, the inspector may process the absentee ballots, and the absentee ballots may be tabulated.

State law also permits county election boards to choose to have absentee ballots processed at a central location, and not send the ballots themselves to the precincts for processing. An absentee ballot received by a “central count” county is processed on Election Day at the county’s central location by a bipartisan counting team.

When ballots are returned to the county from the precincts, the county election board begins preparing a compilation of the precinct returns (a “canvass”). The canvass includes the vote totals returned by the precincts, along with vote totals for a precinct that are tabulated by the county election board at a central location.

The first phase of the canvass is usually completed by the county election board on election night. However, the canvass is not complete since the county election board must wait to see whether the county receives any ballots mailed from overseas voters no later than Election Day. The county election board must also determine whether any provisional ballots are to be counted or not. This phase of the canvass is not complete until noon, 10 days after the election.

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5. The ballot is secured and preserved.

After the canvass is completed, the circuit court clerk is required to seal the ballots and preserve them for at least 22 months after the election. The individual ballots remain confidential, and are available for inspection only during a recount or election contest proceeding, or in response to a court order.

After the Election: The Statewide Results Process

Since 1998, the Indiana Election Division has published election night results for federal and state level races on its website with the voluntary cooperation of Indiana's 92 county election boards.

The Counting Process:

Indiana state law requires counties to begin counting votes cast at the Primary Election immediately after the polls close at 6 p.m., prevailing local time.

The polls in the 12 counties of Gibson, Jasper, Lake, LaPorte, Newton, Perry, Porter, Posey, Spencer, Starke, Vanderburgh, and Warrick close at 7 p.m., Indianapolis time. The polls in the remaining 80 Indiana counties close at 6 p.m., Indianapolis time.

In most counties, ballots are counted first at local polling places by precinct election officials. These officials then travel on election night to a central counting location (often the county courthouse) to report the precinct election results to the county election board.

In other counties, ballots are not counted by precinct election officials, but are returned to the central counting location (often the county courthouse), where each precinct's ballots are counted by the county election board or designated county election board employees.

As a result, some precinct level election results will be available from the counties before county level results are published on the Election Division website. The Election Division website is designed to be statewide and comprehensive in scope.

The election night returns presented on the Election Division's site include votes cast for:

- U.S. Senate;
- U.S. Representative (Congressional Districts 1-9);
- Indiana State Senator;
- Indiana State Representative;
- Judge of a Circuit or Superior Court in all 92 Indiana counties; and
- Prosecuting Attorney in all 92 counties

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Complete or partial returns from each county will be posted on the website continuously on election night, as received from each county. Data entry will cease at midnight, and resume the morning after Election Day until reporting is complete.

The results posted on the website are unofficial, and may change due to the counting of provisional ballots or corrections in a county's official certification of results. **Official county results for all elections must be certified to the Election Division by May 17, 2010.** The election results are then final, unless a recount is ordered in a race.

Additionally, some counties publish their own election night results on county web sites for some of offices. The Election Division links to these county web sites can be found at <http://www.in.gov/sos/elections/voters/usefullinks.html>

Indiana Recount Commission

There are no "automatic recounts" in Indiana, regardless of how close a candidate's margin of victory may appear on election night.

Instead, a candidate (or a political party chairman) is responsible for filing a sworn statement with the state recount commission to ask that a recount to be conducted in a state level race. The deadline for a candidate to file a sworn statement (petition) for a recount is noon, local time, Tuesday, May 18, 2010. The deadline for a political party chairman to file a petition for a recount is noon, local time, Friday, May 21, 2010.

Similarly, a candidate or political party chairman must file a lawsuit with a local court for a recount to be conducted in a local level race.

The state recount commission conducts recounts in races for U.S. Senate, U.S. Representative, State Senator, and State Representative. A local court can order a recount to be conducted in races for other offices, such as judge, prosecuting attorney, or county level offices.

The state recount commission consists of three members: the Secretary of State of Indiana (who serves as chairman of the Commission) and two members designated by the Democratic and Republican state party chairs, respectively.

For more information about the Indiana Recount Commission, including the Commission's *Recount Guidelines*, see <http://www.in.gov/sos/elections/voters/recount.html>.

A petition for related proceeding called a "contest" can also be filed with the Commission or with a local court. In a contest, the election of a candidate may be disputed for reasons unrelated to the counting of votes; for example, a contest may be conducted to determine if a successful candidate meets age, residence, or other requirements to serve in an office.

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Voting Technology: Voting Systems and the Statewide Voter File

Indiana's Voting Systems

Indiana's 92 counties will use over 10,000 voting machines distributed throughout approximately 3,500 polling places. Fifty-four counties use voting machines that are direct record electronic (DRE) type. Twenty-seven counties primarily use voting machines that are the optical scan (OS) type. The remaining counties use a combination of these voting system technologies. Since 2004, over \$40 million in federal, state and county funds have been invested in upgrading Indiana's voting equipment and technology. (see Indiana Voting Systems by County: <http://www.in.gov/sos/elections/hava/pdf/CountyVotingSystems.pdf>).

At their choosing, Indiana counties independently select and form individual contracts with voting system vendors. All voting equipment used in elections in Indiana has been subject to independent testing and certified by the Indiana Election Commission (IC 3-11-7 and 7.5).

State laws prohibiting the sale, installation or permitted use of uncertified election equipment (hardware, firmware, and software) are strictly enforced. The Secretary of State has enforcement authority in this area (IC 3-11-17) and can fine voting machine vendors up to \$300,000.00 per violation.

Indiana's Certified Voting System Vendors

Indiana voters cast ballots on the state-certified voting system model chosen by their county's elected officials. The following voting system vendors have models certified for sale and use in Indiana:

- Election Systems & Software
- Hart InterCivic

In some counties, previously certified voting systems whose certification expired October 1, 2009 may continue to be used. This would include the use of certain MicroVote General Corporation equipment) In some counties, Governmental Business Systems is providing service for optical scan equipment currently certified under an application submitted by ES&S.

Contact information for Indiana's certified voting system vendors can be found at <http://www.in.gov/sos/elections/voters/certifiedsystems.html>

Indiana's Certified Voting Systems

Indiana has certified two types of voting systems for use in its elections: optical scan (paper) ballot card voting systems, and direct record electronic (DRE) voting systems. Traditional hand-counted paper ballots can also be used, but are typically only printed for city or town elections where the number of voters who cast these ballots would be small.

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Optical scan ballot card voting systems permit a voter to cast a ballot on a specially printed paper ballot, which is coded to allow the voter's choices to be scanned and tabulated by the voting system.

Direct record electronic voting systems permit a voter to cast a ballot by touching a heat-sensitive spot on a screen which indicates the voter's choices (in a manner similar to a person indicating choices by touching the screen at an ATM or in an elevator). The voter's ballot is then tabulated by the DRE unit, with an image of each voter's ballot being stored in the DRE system.

As required by federal and state law, a voting system must be available in each polling place for use by voters with disabilities, such as a voter with a visual impairment.

The state has certified DRE voting systems which include features to permit a voter with disabilities to cast a ballot privately and independently. The state has also certified the ES&S AutoMARK Voter Assist Terminal for this purpose; this voting system combines features of both the optical scan and DRE systems.

State law provides that casting ballots on these voting systems is not limited to voters with disabilities; any voter who chooses to do so may cast a ballot on these voting systems.

Indiana counties have chosen a wide variety of certified voting equipment for use by their voters. Training videos demonstrating how most of these voting systems are operated by poll workers and used by voters can be found at <http://www.in.gov/sos/elections/hava/votingsystems.html>

Indiana Election Commission Certification Process

The Indiana Election Commission, an independent administrative body, must approve a vendor's application to market, sell, install, or permit the use of a voting system in Indiana before the vendor engages in these activities.

The certification process begins when a vendor files an application with the Indiana Election Division. This application must be accompanied by detailed technical information regarding the functions of the voting system, and documentation that an accredited independent testing laboratory has determined that the voting system complies with federal voting system standards adopted by Indiana law.

The vendor must also demonstrate that the voting system complies with additional requirements imposed by state law (such as the ability to cast a straight party ticket vote, for example). The Commission requires the vendor to conduct a demonstration of any voting system model being certified for the first time for use in Indiana.

The Voting System Technical Oversight Program (VSTOP), administered by the Bowen Center at Ball State University, performs evaluations of voting system applications and testing reports submitted by independent laboratories concerning voting systems submitted for certification in

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Indiana. VSTOP reports the results of its research to the Indiana Election Commission as part of the Commission's determination regarding an application.

The same general process is required when a vendor wishes to market or install an upgrade to the software of a previously certified voting system. More information concerning the Indiana Election Commission can be found at: <http://www.in.gov/sos/elections/iec/index.html>.

Past Enforcement Actions against Indiana Vendors

The Office of the Indiana Secretary of State has executed enforcement actions in the past against two voting system vendors. The certification issues leading to the actions were rectified and did not result in the disenfranchisement of any voters or any vote count errors.

As a result of activities involving sales of uncertified voting equipment and installation of an uncertified version of software in 2005 and 2006, the Secretary of State fined MicroVote General Corporation \$250,000 plus over \$100,000 in legal costs.

The Indiana Election Commission voted unanimously to suspend MicroVote sales for a period of five years. At the same time, the Commission suspended 3.5 years of the penalty, permitting Micro Vote to resume sales on January 1, 2010.

Another voting machine vendor, Election Systems and Software (ES&S) agreed to a \$250,000 settlement after an agency complaint involving service and performance issues (including in part, performance of equipment especially designed for use by disabled voters) before the 2006 General Election in Indiana. Indiana counties also benefited from this enforcement with an additional \$500,000 in services and training materials from the company.

Voting System Technical Oversight Program (VSTOP)

The Voting System Technical Oversight Program (VSTOP) is a recent innovation modeled on the state voting system testing process administered by Kennesaw State University in Georgia. Indiana is one of the first states in the nation to develop a state-level testing program in coordination with technical experts in this area.

In May 2008, the Secretary of State entered into a contract with Ball State University to implement VSTOP. This program assists in developing procedures and standards for training and security of voting systems; reviews the independent testing laboratory reports submitted by vendors to provide technical assistance to the Indiana Election Commission in reviewing voting system certification applications; and compiles detailed information regarding voting systems and their use in Indiana.

VSTOP will also be a source to identify and publicize best practices for county voting system purchasing contracts, and to develop "quantity purchase agreements" to secure the best possible terms for counties purchasing certified voting systems from a vendor.

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The VSTOP team has begun work on the development of an inventory database of all voting systems in Indiana. They will also provide technical assistance to the Indiana Election Commission when determining the effects of federal voting systems guidelines and certification procedures.

Statewide Voter Registration System (SVRS)

The Statewide Voter Registration System (SVRS), an electronic database that simultaneously links Indiana's 92 county's voter registration records, was created in 2006 in coordination with Secretary Rokita's office and all 92 counties. County input, testing, and use has been critical in developing and enhancing a system which complies with federal mandates and provides accurate voter registration data.

The system is also linked to the Indiana Bureau of Motor Vehicles and the federal Social Security Administration databases to help verify voter registration records. Additional data provided to the system from the Indiana Department of Health and Department of Correction assist local election officials in their efforts to remove the records of deceased and incarcerated voters. With these additional tools, the SVRS provides a dramatic improvement over the counties old, isolated systems by keeping the voter rolls current and accurate with updates made in "real time," when the individual voter's information is entered into the system. This approach has allowed the removal or inactivation of more than 600,000 records from the rolls, which would otherwise pose a risk for vote fraud, increase costs in printing voter lists, distort voter turnout statistics, and generally clog up the system.

The charts below should either be updated or deleted.

Type of Transaction	Dec-09	Jan-10	Feb-10	Mar-10	Total 2010
BMV Registrations Received	24,111	15,036	16,206	20,333	51,575
BMV Matches Approved	17,971	12,777	10,074	14,219	165,070
Potential DOH Matches Received	6,893	10,625	6,845	5,627	23,029
DOH Matches Approved	3,674	4,721	3,439	3,221	11,381
Potential DOC Matches Received	1,684	1,588	1,904	1,758	5,250
DOC Matches Approved	953	680	676	674	2,030
Absentee Applications Created	251	1,787	2,944	12,034	16,765
Absentee Ballots Created	9	11	840	10,032	10,883
www.indianavoters.com Page Hits	7,133	10,832	15,276	26,502	52,610
INSVRS Page Hits	868,201	925,647	1,221,393	1,473,191	3,620,231
INSVRS Voter Searches	207,924	208,351	251,248	296,441	756,040
INSVRS Reports Run	24,881	25,845	27,958	47,200	101,003

The state maintains a Help Desk service for county election administrators who have questions about the system, need additional training, or need assistance with data entry at the local level. Over the last four months, the Help Desk team was able to quickly assist users at the county level:

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	Jan-10	Feb-10	Mar-10
Average Time for Answer	0:00:42	0:00:43	0:00:51
Calls to the Help Desk	619	568	855
New Tickets	439	439	591
Resolved Tickets	431	425	605

If a voter registered in a new county, the SVRS notifies the old county of the change and that county then verifies the switch so that each voter is only listed once in the Statewide Voter Registration System.

SVRS as an Election Management Tool

Indiana counties use SVRS not only to manage the voter registration records, but also as an election management tool. SVRS allows counties to manage their poll workers through a module within the system that ties voter registration records to service at the polls. The system also allows counties to help account for the locations of voting machines assigned to precincts and physical locations across the county. Additional functionality permits counties to enter candidate information and election results in an effort to provide electronic post-election reports for state election officials. Finally, SVRS allows counties to track and process absentee ballots. The “Absentee Express Lane” cut in half the time it takes to process an absentee voter who votes early at the election board or a satellite absentee office. This functionality should greatly reduce the wait time in long absentee voter lines typical of Indiana’s larger counties.

A Brief Summary of Indiana’s Provisional Ballot Process

Indiana’s Provisional Ballot Overview:

In many states provisional ballots are very common—cast and counted in high numbers. The Indiana provisional ballot process works different than many states in that Provisional Ballots are looked upon as a “last resort” on Election Day, not a common occurrence.

Indiana poll workers are trained to route voters through the “regular ballot” process whenever possible using procedures called “fail safes” to address common questions and concerns on Election Day.

Provisional ballots exist so that no voter is ever turned away from the polls because of a simple administrative question—a voter will always have the ability to cast a provisional ballot in order to capture the vote and the voter’s eligibility can be reviewed at a later date.

The Process: Each of Indiana’s 92 counties receive poll worker training information from the state and are responsible for hold poll worker training session in order to educate our poll workers on Election Day procedures, including Provisional Ballots.

A voter will cast a provisional ballot on Election Day for a variety of reasons. In many states if there were any questions regarding a voter’s record he or she would cast a provisional ballot. In

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Indiana, “fail-safe” procedures prevent high numbers of provisional ballots. For example if a voter’s name is not on the poll book by mistake, instead of issuing a provisional ballot, the poll worker would ask the county voter registration office about the voter’s registration status and a certificate of error would be issued. This voter would then vote using a regular ballot. Fail safes apply to a variety of common situations including voters who have moved and the poll book no longer reflects their current address, a voter who has changed his or her name, or if an error is made on the county level with regard to a voter registration record.

If the voter casts a provisional ballot, the ballot will be kept separate from the other ballots cast in that precinct. After Election Day, the county election board will decide whether the voter was qualified to vote in that precinct and whether the voter’s ballot should be counted. The voter will be able to contact the county election board after Election Day to find out whether the voter’s ballot was counted, and if it was not counted, why not.

The county election board can count provisional ballots until noon up to ten days after the election. If the voter had to fill out a provisional ballot due to inadequate photo identification, that voter can arrive at the Clerk’s office within the 10-day period to present the appropriate ID or sign an affidavit.

How does a voter cast a provisional ballot?

Generally, the same rules and procedures that apply to casting a traditional paper ballot apply to casting a provisional ballot, but there are some special procedures that are similar to casting an absentee ballot:

- a) The voter must mark the provisional ballot privately, unless the voter is entitled to and requests assistance.
- b) The voter must enclose the provisional ballot inside a provisional ballot secrecy envelope provided for this purpose (Form PRO-2) and seal the envelope.
- c) The voter must return the sealed envelope, with the ballot inside, to the inspector.

Today, counties may use the Indiana Statewide Voter Registration System to track and provide information to voters who cast provisional ballots and are concerned about their ballot being counted. Under Help America Vote Act requirements, voters who cast provisional ballots must have “free access” to information concerning whether or not the ballot was counted, and if not. In response, counties have established toll-free phone lines that voters may call, use the provisional ballot reporting structure in the state’s Statewide Voter File, or a combination of both. In addition, IC 3-14-5-2(2) requires counties to provide copies of all provisional ballot challenge forms to the Secretary of State following the election.

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Indiana's Vote Center Pilot Program

A "Vote Center" is a polling place where any registered voter in the county may vote as long as the voter lives in the district holding the election. Simply stated, there is no wrong place to vote in the County. Vote Centers are more efficient, more convenient for most voters and provide voters with the flexibility to choose where they will vote. Generally speaking, voter participation has been falling for decades; counties that use Vote Centers find that more people participate. Under the old precinct system of voting, every polling place had five workers whether 20, 200 or even 1,000 people voted. In the Vote Center system, counties are able to tailor the number of workers to the number of voters.

Indiana Secretary of State Todd Rokita led a delegation of Hoosier lawmakers and local election officials to Larimer County, Colorado, in 2005 to view Vote Centers in operation. The group quickly discovered that Vote Centers were more efficient, cost effective, and voters strongly supported them. In response to a request by the Secretary, the Indiana General Assembly passed a law in 2006 permitting the Secretary of State to select up to three counties to serve as pilots for Vote Centers. Two counties were chosen to use the Municipal Elections in 2007 as the pilot election for Vote Centers. Both Wayne County and Tippecanoe County found that Vote Centers saved taxpayer dollars and had strong support among the counties' voters.

The Indiana General Assembly acted to extend the pilot program to 2008, and a third pilot county was added. Secretary Rokita chose Cass, Tippecanoe, and Wayne Counties as vote center pilot counties for 2008 following an application and review process. Tippecanoe and Wayne Counties successfully used Vote Centers for the Indiana Municipal Election Cycle in 2007, Cass County used Vote Centers for the first time during the 2008 Primary Election.

In addition to offering Vote Centers on Election Day, each county will also offer numerous opportunities for voters to vote absentee in-person at satellite voting locations. The pilot program is scheduled to expire at the end of 2010 and without further action from the Indiana General Assembly, the pilot counties will revert back to traditional precinct-based voting.

Information on Indiana's Campaign Finance Reporting System

The Indiana Election Division provides a comprehensive, searchable database of campaign finance reports for state level candidates running in the May 2010 Primary Election. This database is published at www.indianacampaignfinance.com.

Campaign finance information for candidates for federal offices can be found at the Federal Election Commission's website, www.fec.gov. Campaign finance information for candidates for local offices can be obtained from each county election board.

The Indiana Election Division website provides an invaluable resource for Indiana voters to learn about a candidate's contributors and campaign expenditures **before the election occurs, so that voters can make informed choices**. In 1998, Indiana became one of the first states in the nation

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to provide for pre-election Internet publication of campaign finance reports. According to information from our vendor, we remain one of a relatively few states to provide this information in such a timely fashion.

The "pre-primary" reports were due at the Election Division at noon, April 16, 2010. Thanks to an innovative electronic filing program, most of these reports may be published on the website within a week after the deadline. Non-electronic reports will be published on the website prior to the May 4 election.

As a result, voters can search the database before the Primary Election for all contributions made by an individual to any candidate, by city and zip code from which contributions were made, and many other fields which provide greater insight into the campaign finance report beyond simply the raw numbers of dollars received and spent.

This website contains reports which identify the chairman and treasurer of each type of political committee (candidates, PACs, and regular party committees), and which detail the contributions received and expenditures made by each committee.

Media Contacts and the Poll Credential Process

Poll Watcher Credentials

Members of the media who wish to observe the polls on Tuesday, May 4, must obtain a watcher identification card from the local county election board.

A list of all persons who will be observing should be prepared and signed by an individual or an officer of the media outlet. The signature must be verified. The list must be furnished the day before Election Day to the following:

1. The circuit court clerk.
2. The county election board.
3. The county chairman of each political party that is entitled to appoint a watcher.
4. The chairman of each independent candidate's committee that is entitled to appoint a watcher.

If a member of the media desires to observe in more than one county in Indiana, the person must obtain a watcher identification card from the Indiana Election Division. The multi-county credentials are issued by the Election Division upon receipt of the application.

The Indiana Election Division can be contacted at 317.232.3939 or in-person at 302 W. Washington Street, Room E-204, Indianapolis, IN 46204. The Marion County Election Board

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can be contacted at 317.327.5141 or in-person at 200 E. Washington Street, Room W-122, Indianapolis, IN 46204.

Poll Watcher Regulations

A watcher may not photograph a voter:

1. While the voter is in the polls if the voter informs the precinct election board that the voter objects to being photographed by the watcher; or
2. In a manner that permits the watcher to see or know for what ticket, candidates, or public questions the voter has voted.

A watcher is entitled to do the following:

1. Enter the polls at least thirty (30) minutes before the opening of the polls and remain there throughout Election Day until all tabulations have been completed.
2. Inspect the paper ballot boxes, ballot card voting system, or electronic voting system before votes have been cast.
3. Inspect the work being done by any precinct election office.
4. Enter, leave, and reenter the polls at any time on Election Day.
5. Witness the calling and recording of the votes and any other proceedings of the precinct election officers in the performance of official duties.
6. Receive a summary of the vote signed by the precinct election board, providing the names of all candidates and the number of votes cast for each candidate and the votes cast for or against a public question.
7. Accompany the inspector and the judge in delivering the tabulation and the election returns to the county election board by the most direct route.
8. Be present when the inspector takes a receipt for the tabulation and the election returns delivered to the county election board.

Additional Media Contacts:

If you need to reach someone in the **Indiana Secretary of State's Office**, Please contact:

Jim Gavin, Communications
jgavin@sos.IN.gov
317-233-8655 (desk)
317-518-3362 (mobile)

Scott Bowers, Chief Deputy
sbowers@sos.IN.gov
317-232-6584 (desk)